

VIOLATION WORKSHEET

1. Defendant James Rumbaua Damaso

2. Docket Number (Year-Sequence-Defendant No.) CR 06-00005-001

3. District/Office 0993/1

4. Original Sentence Date 07 / 24 / 06
month day year

(If different than above):

5. Original District/Office _____

6. Original Docket Number (Year-Sequence-Defendant No.) _____

7. List each violation and determine the applicable grade (see §7B1.1(b))

<u>Violation(s)</u>	<u>Grade</u>
• The defendant unlawfully possessed a controlled substance and failed to refrain from any unlawful use of a controlled substance.	C
• The defendant failed to answer truthfully all inquiries by the probation officer.	C
• The defendant failed to notify the probation officer at least ten days prior to any change in residence or employment.	C
• The defendant possessed, used and distributed a controlled substances that was not prescribed by a physician.	C
• The defendant associated with a person engaged in criminal activity.	C
• The defendant failed to participate in a program for substance abuse which included testing to determine whether the defendant has reverted to the use of drugs or alcohol.	C

8. Most Serious Grade of Violation (see §7B1.1(b)) C

9. Criminal History Category (see §7B1.4(a)) III

10. Range of Imprisonment (see §7B1.4(a)) 5-11 months

11. Sentencing Options for Grade B and C Violations Only (Check the appropriate box):

- ☒ (a) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c)(1) provides sentencing options to imprisonment.
- ☐ (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c)(2) provides sentencing options to imprisonment.
- ☐ (c) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Mail documents to: United States Sentencing Commission, Federal Judiciary Building, One Columbus Circle, NE, Suite 2-500, South Lobby, Washington, D.C. 20002-8002

Defendant: James Rumbaua Damaso

12. **Unsatisfied Conditions of Original Sentence**

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation (see §7B1.3(d)):

Restitution (\$)	<u>N/A</u>	Community Confinement	<u>N/A</u>
Fine (\$)	<u>\$1,172.00</u>	Home Detention	<u>N/A</u>
Other	<u>16 hours community service</u>	Intermittent Confinement	<u>N/A</u>

13. **Supervised Release**

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 (see §§7B1.3(g)(1)).

Term: N/A to N/A years.

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment imposable upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment (see 18 U.S.C. §3583(e) and §7B1.3(g)(2)).

Period of supervised release to be served following release from imprisonment: 25-31 months

14. **Departure**

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of imprisonment:

On August 12, 2008, at the Guam Reef Hotel, Mr. Damaso was taken into local custody for a several hours by the Guam Police Department's Violent Street Crimes Task Force after he was involved in selling methamphetamine to another person during a controlled buy. A subsequent search of Mr. Damaso's person revealed seven "plates" containing "ice" and approximately 4.1 net grams of methamphetamine found underneath a bed pillow. During the controlled buy, four minors were present in the hotel room.

15. **Official Detention Adjustment** (see §7B1.3(e)): 0 months 0 days